



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comprehensive Water Supply and Sewerage Systems Plan Amendments
Administrative Delegation (AD) 2024-4 – Statement of Action
Water/Sewer Service Area Category Change Requests

CHRONOLOGY

Table with 2 columns: Event and Date. Includes Interagency Notices of Public Hearing (September 23, 2024), Published Notice of Public Hearing (October 9, 2024), Public Hearing (October 23, 2024), Public Hearing Record Closed (October 30, 2024), and DEP Administrative Approval Action (October 31, 2024).

BACKGROUND

Authority: Under the Annotated Code of Maryland, Section 9-501, et seq., the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county.

In the adopted 2018 update of the CWSP, the County Council has delegated to the Director of the Department of Environmental Protection (DEP), through an administrative process, the authority to approve certain amendments to the Plan, including water and sewer category changes.

Proposed Plan Amendments: DEP staff considered four proposed amendments for approval by the administrative delegation process. All four amendments were for service area category changes.

PUBLIC HEARING PROCESS

Public Hearing Notification: In accordance with State regulations, on September 23, 2024, DEP notified the appropriate County and State agencies of an administrative public hearing, scheduled for October 23, 2024, and provided the staff recommendations for the proposed amendments.

Public Hearing Testimony and Interagency Recommendations: DEP staff scheduled a remote public hearing for the date and time included in the hearing notices. The hearing notices specified that anyone wanting to provide testimony needed to contact DEP staff to receive information on how to do so.

On October 21, 2024, Keith Levchenko, senior legislative analyst on the Council’s staff notified DEP that the Councilmembers concurred with the approval recommended for this administrative action.

On October 24, 2024, the Planning Board met to consider M-NCPPC staff recommendations for the amendment included in the AD 2024-4 administrative delegation packet. The Board concurred with the M-NCPPC staff recommendations for the included amendments, which generally agreed with DEP’s staff recommendations.

DEP ADMINISTRATIVE ACTION

The 2018-2027 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:

Town of Poolesville

WSSCR 24-PVL-01A: Gary J & J L Hartz

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> • Fisher Ave, 19000 Block, Poolesville • P915, Pt Friendship Aix La Chapelle acct. no.: 00036344) • Map tile: WSSC - 223NW19; MD - CT341 • South side of Fisher Ave. opposite Hersperger Ln. • PTR 2+ Zone; 18 ac. • Poolesville Master Plan (2024 draft?) Russel Branch Watershed (Dry Seneca Cr. Watershed) MDE Use IP • <u>Existing use</u>: Vacant land, Zoned 2 acre residential. • <u>Proposed use</u>: Res Subdivision 8 2+-acre lots w/ Public W/S Prelim Plan conditionally approved. 	Service Area Categories: <u>Existing</u> <u>Requested</u> W-6 W-3 S-6 S-3 <i>Within the Town of Poolesville, outside the Washington Suburban Sanitary District. Outside the planned public water and sewer service envelopes. (These envelopes may need adjustment based on changes to the Town's master plan and zoning.)</i> Administrative Action Approve W-3, S-3. Administrative policy V.D.2.a: Consistent with Existing Plans.

Olney Planning Area

24-OLN-02A: Calix Mario Antonio & Sanchez Dora Garcia

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> • 2649 Norbeck Rd., Silver Spring • P525, Bradfords Rest (acct no.: 00703350) • Map tile: WSSC - 221NW03; MD - HS562 • North side of Norbeck Rd., east of Mt. Everest Ln. • RE-2 Zone; 2.2 acres • Olney Planning Area Olney Master Plan (2005) • Northwest Branch Watershed (MDE Use IVP) • Existing use: Single-family home (built 1934) • Proposed use: Water and sewer service for single-family home. 	Service Area Categories: <u>Existing</u> <u>Requested</u> W-6 W-1 S-6 S-1 Administrative Action Approve W-1 and S-1, restricted to single water and sewer service connections only. Administrative policy II.G.3.: community service for properties abutting mains.

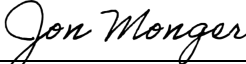
Travilah Planning Area

24-TRV-05A: Rima Saliba and Ralph Chami

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification						
<ul style="list-style-type: none"> • 12704 Travilah Rd., Potomac • Parcel N110, Lot 1, Travilah Hills (acct no.: 00401938) • Map tile: WSSC – 216NW13; MD - EQ43 • North side of Travilah Rd between Bacall Ln and Bissel Ln. • RE-2 Zone; 2 ac. • Travilah Planning Area • Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I/I-P) • Existing use: Single-Family Home (built 1978) • Proposed use: Community Water and Sewer Service for Single- family Home 	Service Area Categories: <table border="0" style="width: 100%;"> <tr> <td style="text-align: left;"><u>Existing</u></td> <td style="text-align: center;"><u>Requested</u></td> </tr> <tr> <td>W-6</td> <td style="text-align: center;">W-1</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-1</td> </tr> </table> Administrative Action Approve W-1 and S-1. Administrative policy II.G.3.: community service for properties abutting mains and Potomac Peripheral Sewer Policy (II.M.: Potomac Area RE-1 and RE-2-Zone Properties).	<u>Existing</u>	<u>Requested</u>	W-6	W-1	S-6	S-1
<u>Existing</u>	<u>Requested</u>						
W-6	W-1						
S-6	S-1						

Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendments described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* are approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include these amendments, and they will be shown as part of the next interim or triennial service area map update.

Approved

 _____ Jon Monger, Director Montgomery County Department of Environmental Protection	11/7/2024 _____ Date
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NOTIFICATION OF DEP ACTION

DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 60 days to either comment on the administrative approvals granted or invoke up to two 45-day review extensions. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action. A list of agencies that will receive a copy of this summary of action follows:

Distribution: Interagency

Andrew Friedson, President, Montgomery County Council
Keith Levchenko, Senior Legislative Analyst, County Council
Linda Kobylski, Heidi Benham, Jason Flemming & Megan Wilhelm, DPS
Artie Harris, Chairperson, Montgomery County Planning Board
Patrick Butler, Donnell Zeigler, and Jamey Pratt, Upper County Planning Team, M NCPPC
Mark Symborski, Functional Planning, M-NCPPC
Christina Sorrento, Chief, Intake and Regulatory Coordination Division, M-NCPPC
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Ray Chicca, Development Services Division, WSSC
Luis Tapia, Permit Services Section, WSSC
D. Lee Currey, Director, Water and Science Admin., Maryland Dept. of the Environment
Robin Pellicano, Division Chief, Water and Science Admin., Maryland Dept. of the Environment
Dinorah Dalmasy, Program Manager, Water and Science Admin., Maryland Dept. of the Environment
Susan Llareus, Secretary, Maryland Department of Planning

Distribution: Property Owners /Other Interested Parties/Public Interest Groups

24-PVL-01A... Gary J & J L Hartz
24-OLN-02A... Calix Mario Antonio & Sanchez Dora Garcia
24-TRV-05A... Rima Saliba & Ralph Chami

Greater Olney Civic Association
Southeast Rural Olney Civic Association
North Potomac Citizens Association Inc
Northern Montgomery County Alliance
Montgomery County Civic Association
Montgomery Coalition to Stop Sewer Sprawl
Potomac Highlands Civic Association
West Montgomery County Citizens Association
Nature Forward
Country Place Citizens Association
Montgomery Square Citizens Association
Newbridge Citizens Association
Laughlin Lane Civic Association
Layhill Civic Association

Attachments

Service Area Category Designations (see page 5)
Amendment Service Area Category Mapping (see pages 6 – 11)

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WATER/SEWER SERVICE AREA CATEGORIES INFORMATION

The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the County. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

Water and Sewer Service Area Categories Table

Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. <ul style="list-style-type: none"> This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service. 	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<p>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</p> (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. <ul style="list-style-type: none"> This includes areas generally requiring the approval of CIP projects before service can be provided. 	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. <ul style="list-style-type: none"> This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period. 	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. <ul style="list-style-type: none"> Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans. 	

Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.

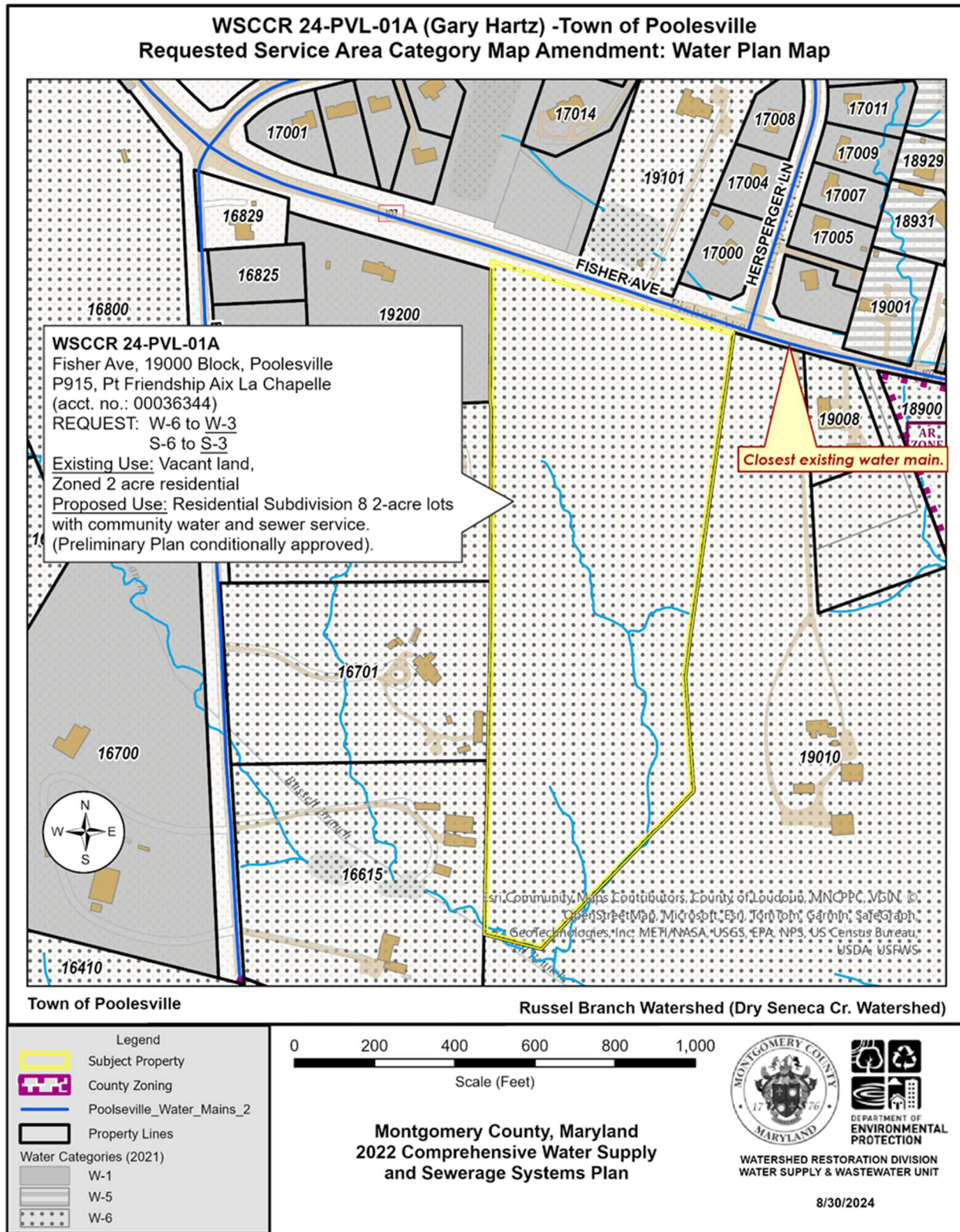


Figure 1: Water Plan Map for 24-PVL-01A including closest Poolesville Water Mains. Note that the above map shows the general position of water and sewer lines, not exact positions.

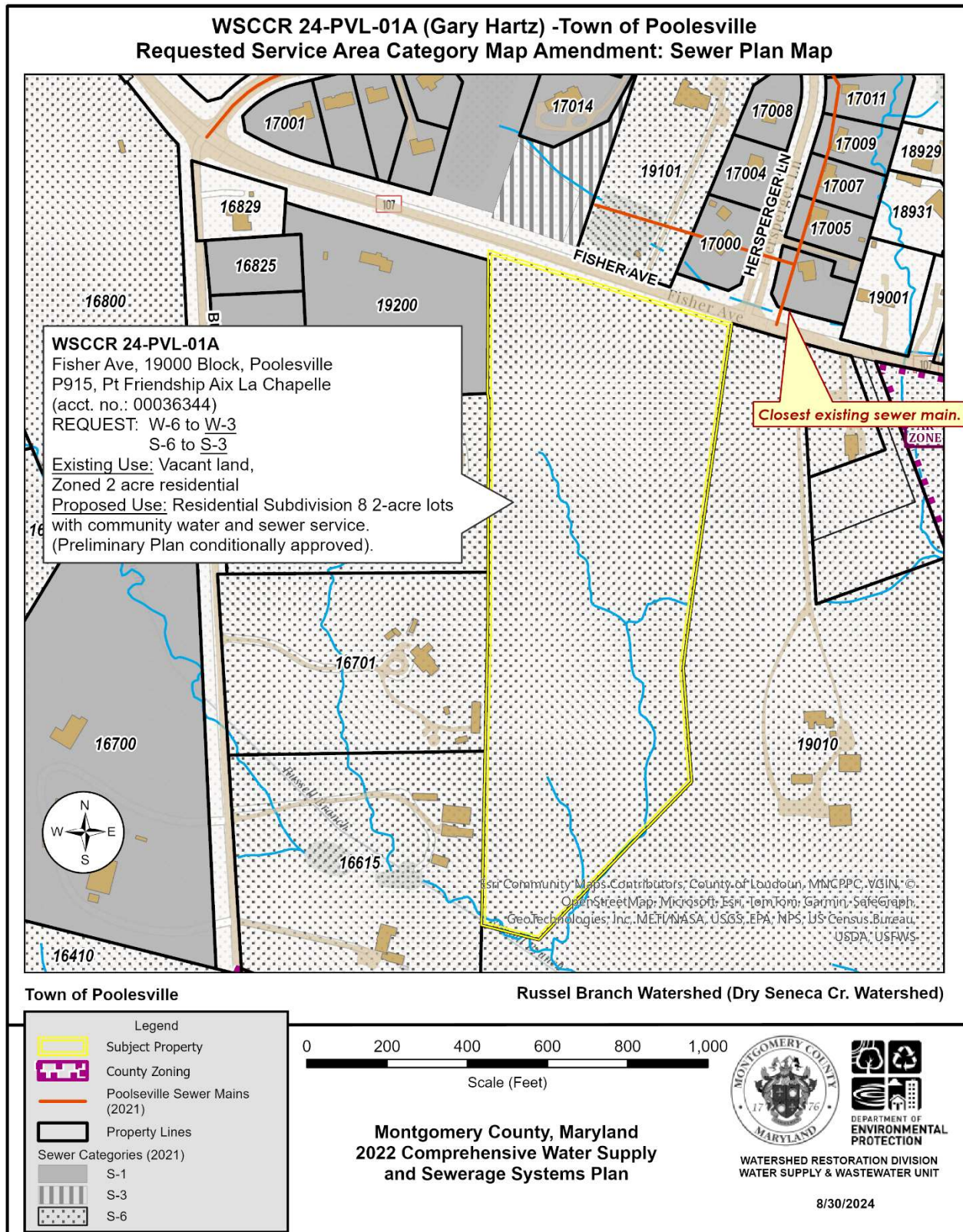


Figure 2: Sewer Plan Map for 24-PVL-01A including closest Poolesville Sewer Mains. Note that the above map shows the general position of water and sewer lines, not exact positions.

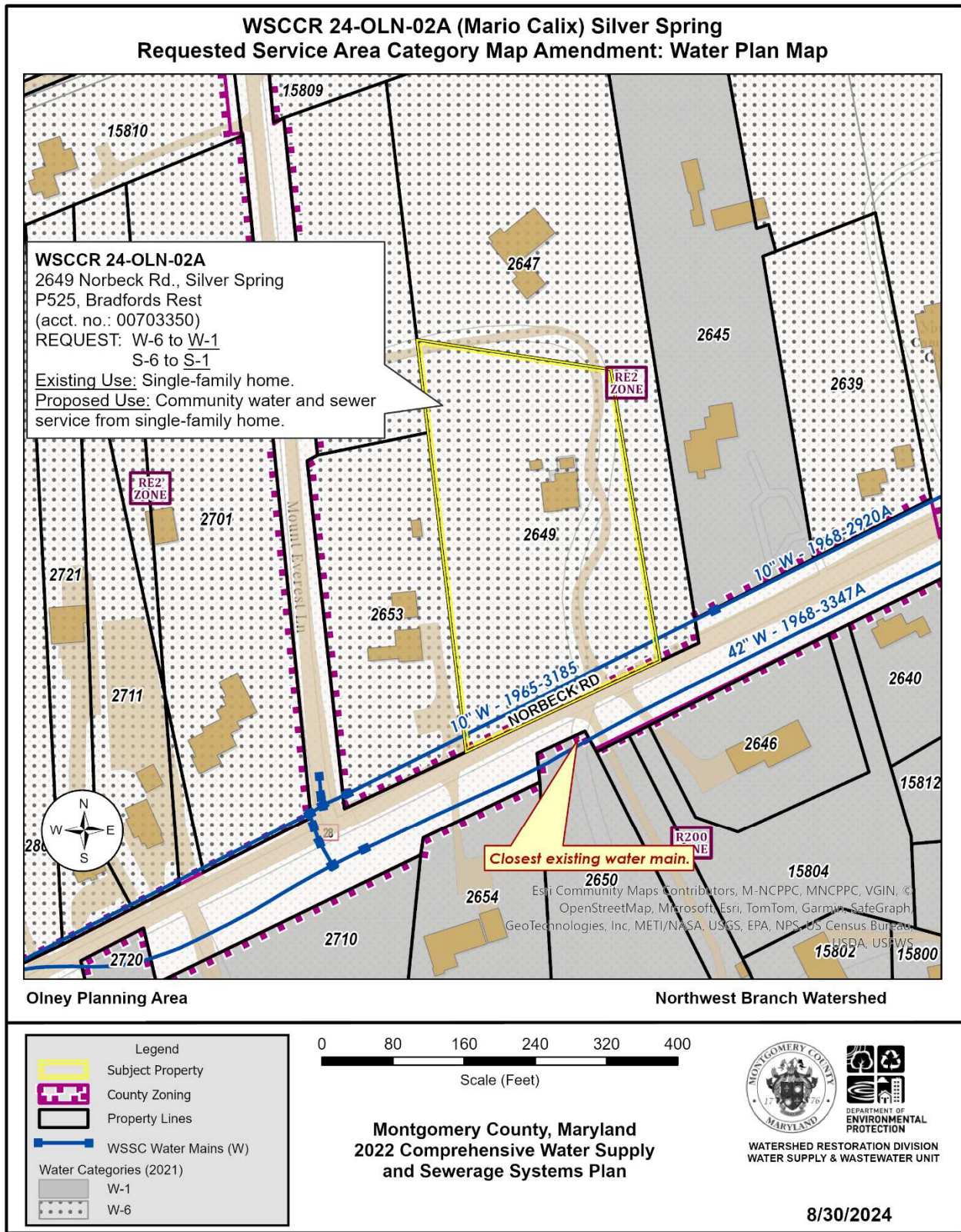


Figure 3: Water Plan Map for 24-OLN-02A including closest mains and surrounding water categories.

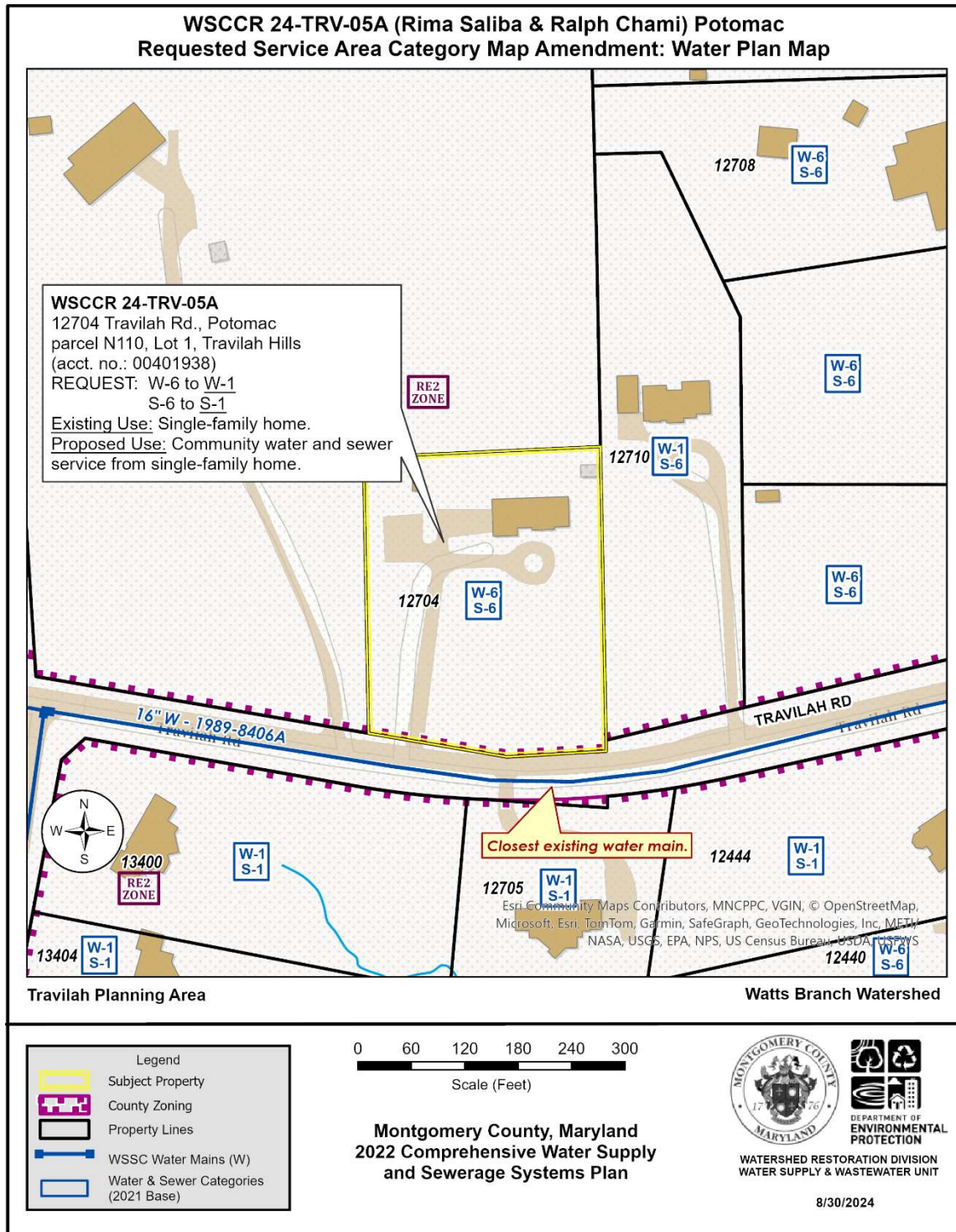


Figure 5: Water Plan Map for 24-TRV-05A including closest mains and surrounding water & sewer categories. The subject property is in the RE2 zone.

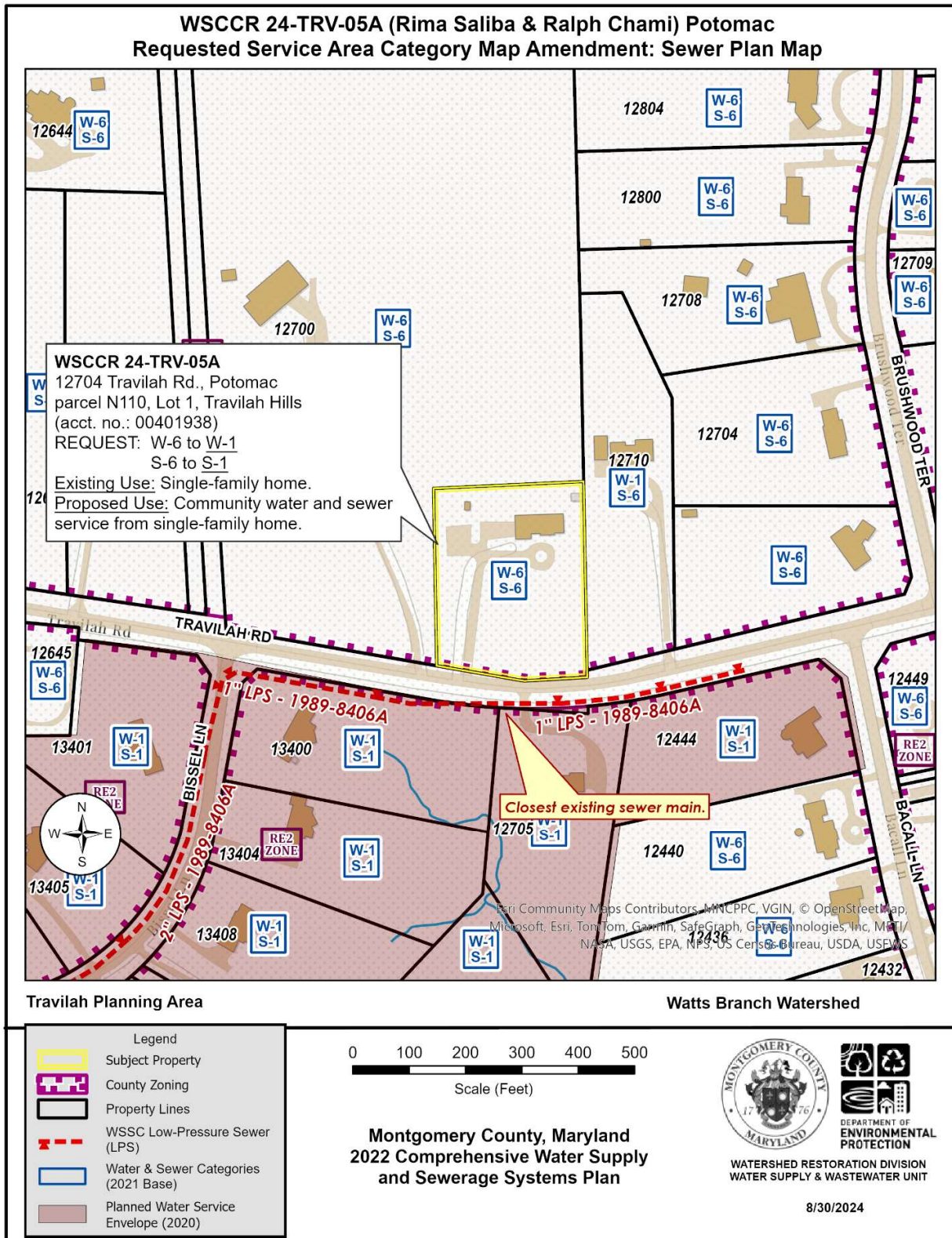


Figure 6: Sewer Plan Map for 24-TRV-05A including closest mains and surrounding water & sewer categories and peripheral sewer envelope. The subject property is in the RE2 zone.